

102303 16558 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL LETTER

16235 U.S. PTO  
10/691772  
102303

Attorney Docket No. S004-4199 (DIV)

Mailing Date: OCTOBER 23, 2003

Express Mail No. ER 092 777 782 US

MS PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is a  
Nonprovisional Utility Patent:

\_\_\_ New Application; or a \_\_\_ Continuation, X Division,  
\_\_\_ Continuation-in-Part (CIP) Application of prior US  
application No. 09/770,072 filed on January 25, 2001; of

Inventors:	(1) Manabu OUMI	(4) Kenji KATO
	(2) Nobuyuki KASAMA	(5) Takashi NIWA
	(3) Hidetaka MAEDA	(6) Yasuyuki MITSUOKA
		(7) Yoko SHINOHARA

For(Title): RECORDING MEDIUM, NEAR FIELD OPTICAL HEAD, OPTICAL  
RECORDING DEVICE, AND METHOD OF MANUFACTURING THEREOF

This transmittal letter has 3 pages.

Enclosed are:

X Enclosed are nine sheets of drawings, along with 22 pages of  
specification, claims and abstract of the disclosure.

X Oath or Declaration Combined with Power of Attorney (3 pages)  
\_\_\_ Newly Executed (original or copy)

X Copy from a prior application (if this is a  
Continuation/Division with no new matter)  
\_\_\_ Signed statement deleting named inventor(s) in prior  
application if this is a Continuation/Division (See 37 CFR  
1.63(d) and 1.33(b)).

\_\_\_ A certified copy of a \_\_\_\_\_ (non-US) application  
No. \_\_\_\_\_, having a filing date of \_\_\_\_\_.

\_\_\_ An Assignment Transmittal Letter and Assignment of the invention.

A verified statement to establish small entity status under  
35 CFR 1.9 and 1.27  
       is enclosed

       was filed in prior application and such status is  
still proper and desired (37 CFR 1.28(a)).

       An information Disclosure Statement, with Form PTO-1449.

XX PRELIMINARY AMENDMENT CANCELING CLAIMS TO REDUCE FILING FEE

XX SECOND PRELIMINARY AMENDMENT

X Return Receipt Postcard.

Instructions:

X Incorporation by Reference (for Continuation/Division  
application). The entire disclosure of the prior application,  
from which a copy of the oath or declaration is supplied, is  
considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.

X Since the present application is based on a prior U.S.  
application, please amend the specification by adding the  
following sentence before the first sentence of the  
specification:

"The present application is based on prior US application  
Serial No. 09/770,072, filed on January 25, 2001, which is  
hereby incorporated by reference, and priority thereto for  
common subject matter is hereby claimed."

X Priority of Application Nos. 2000-017557 filed on January 26,  
2000 and 2001-1677 filed January 9, 2001 in Japan is claimed  
under 35 U.S.C. §119. The certified copies  
       has not been filed.  
       is enclosed.

X were filed in parent application Serial No. 09/770,072.

X The prior application is assigned of record to  
SEIKO INSTRUMENTS INC.

X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CANCELED BY AMENDMENT

<u>Fee</u>	<u>Number Filed</u>	<u>Number Extra</u>	<u>Fee for Small Entity Fee</u>	<u>Fee for other than Small Entity Fee</u>
Basic fee	2	0	\$	\$750.00
Independent Claims	1	0	\$	
<u>Total</u>			<u>\$</u>	<u>Total \$750.00</u>

X Check in the amount of \$750.00 for the filing fee as calculated above is enclosed.

X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 01-0268. A duplicate copy of this sheet is enclosed.

OCTOBER 23, 2003

  
\_\_\_\_\_  
Bruce L. Adams  
Attorney of Record

Please forward all correspondences to:

Bruce L. Adams  
Adams & Wilks  
50 Broadway, 31st Floor  
New York, NY 10004  
(212) 809-3700

Re: New patent application of Manabu OUMI et al.

for RECORDING MEDIUM, NEAR FIELD OPTICAL HEAD, OPTICAL  
RECORDING DEVICE, AND METHOD OF MANUFACTURING THEREOF

comprising transmittal letter, title, specification, claims and  
abstract of the disclosure (22 pgs.), declaration and power of  
attorney, nine sheets of formal drawings containing thereon  
Figs. 1-9, preliminary amendment canceling claims to reduce  
filing fee, second preliminary amendment, express mail  
certification and check in the amount \$750.00

Attorney's Docket No: S004-4199(DIV)

**EXPRESS MAIL CERTIFICATION UNDER 37 CFR §1.10**

Express Mail Tracking Number: ER 092 777 782 US

Date of Mailing: OCTOBER 23, 2003

I hereby certify that this paper or fee is being deposited with  
the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR §1.10 on the date indicated above and  
is addressed to MS PATENT APPLICATION, COMMISSIONER FOR PATENTS, Box  
1450, ALEXANDRA, VA, 22313-1450.

  
DONNA RICCARDULLI